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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 1527

March 9, 2009

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The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform,
Technology and Elections

1.1 A bill for an act
1.2 relating to retirement; authorizing the Minnesota State Colleges and Universities
1.3 early separation incentive programs; proposing coding for new law in Minnesota
1.4 Statutes, chapter 136F.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[136F.481] EARLY SEPARATION INCENTIVE PROGRAM.**

1.7 (a) Notwithstanding any provision of law to the contrary, the Board of Trustees
1.8 of the Minnesota State Colleges and Universities may offer a targeted early separation
1.9 incentive program for its employees.

1.10 (b) The early separation incentive program may include one or both of the following:

1.11 (1) cash incentives; or

1.12 (2) employer contributions to the postretirement healthcare savings plan established
1.13 under section 352.98.

1.14 (c) The board of trustees shall establish the eligibility requirements for system
1.15 employees to receive an incentive. The type and the amount of the incentive to be offered
1.16 may vary by employee classification, as specified by the board.

1.17 (d) The president of a college or university, consistent with paragraphs (b) and
1.18 (c), may designate:

1.19 (1) specific departments or programs at the college or university whose employees
1.20 are eligible to be offered the incentive program; or

1.21 (2) positions at the college or university eligible to be offered the incentive program.

1.22 (e) The chancellor, consistent with paragraphs (b) and (c), may designate:

1.23 (1) system office divisions whose employees are eligible to be offered the incentive
1.24 program; or

2.1 (2) positions at the system office eligible to be offered the incentive program.

2.2 (f) Acceptance of the offered incentive must be voluntary on the part of the employee
2.3 and must be in writing. The incentive may only be offered at the sole discretion of the
2.4 president of the applicable college or university.

2.5 (g) A decision by the president of a college or university or by the chancellor not to
2.6 offer an incentive may not be challenged.

2.7 (h) The cost of the incentive is payable by the college or university on whose behalf
2.8 the president offered the incentive or from the system office budget if the chancellor
2.9 offered the incentive. If a college or university is merged, the remaining cost of any
2.10 early separation incentive must be borne by the successor institution. If a college or
2.11 university is closed, the remaining cost of any early separation incentive must be borne
2.12 by the board of trustees.

2.13 (i) Annually, the chancellor and the president of each college or university must
2.14 report on the number and types of early separation incentives which were offered and
2.15 utilized under this section. The report must be filed annually with the board of trustees and
2.16 with the Legislative Reference Library on or before September 1.

2.17 **EFFECTIVE DATE; SUNSET.** This section is effective the day following final
2.18 enactment and expires June 30, 2014.

2.19 **Sec. 2. [136F.482] APPLICATION OF OTHER LAWS.**

2.20 Unilateral implementation of section 136F.481 by the Board of Trustees of the
2.21 Minnesota State Colleges and Universities, by the chancellor, or by a president of a college
2.22 or university is not an unfair labor practice under chapter 179A.

2.23 **EFFECTIVE DATE; SUNSET.** This section is effective the day following final
2.24 enactment and expires June 30, 2014.